

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**UNITED STATES OF AMERICA,**

**-against-**

**04-CR-402**

**YASSIN MUHIDDIN AREF  
and MOHAMMED MOSHARREF HOSSAIN,**

**Defendants.**

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**THOMAS J. McAVOY,  
Senior United States District Judge**

**DECISION & ORDER**

The Government moves to quash subpoenas duces tecum seeking various documents, including reports and notes, from two of the Government's expert witnesses - Rohan Gunaratna and Rodney Ratledge. See Dkt. # 289. For the reasons set forth in the Government's motion and as addressed more fully at the pre-trial conference held on August 22, 2006, it is hereby

**ORDERED** that the Government's motion to quash the subpoenas duces tecum seeking various documents from Rohan Gunaratna and Rodney Ratledge [dkt. # 289] is **GRANTED**, and it is further

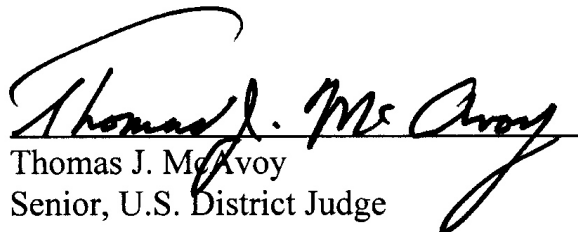
**ORDERED** that before Rohan Gunaratna and Rodney Ratledge testify, the Government shall produce for the Court for *in camera* review those documents that are

otherwise responsive to the aforementioned subpoenas duces tecum. The Court will review the files and determine which documents, if any, should be turned over to Defendants. And, it is further

**ORDERED** that, for the reasons set forth in the Court's August 11, 2006 Decision and Order [dkt. # 282] and based upon the concerns raised by defense counsel at the August 22, 2006 pre-trial conference, Rohan Gunaratna's expert witness report (Exhibit A to Defendant Hossain's Pre-trial Motions) shall **REMAIN SEALED UNTIL FURTHER ORDER OF THIS COURT OR UNTIL THE JURY RENDERS A VERDICT IN THIS MATTER**, whichever shall occur first. Despite the report remaining sealed during the trial, counsel may use and refer to the report for purposes of examination at trial.

**IT IS SO ORDERED**

DATED: August 23, 2006

  
Thomas J. McAvoy  
Senior, U.S. District Judge